

REMARKS

A. FORMAT OF CLAIMS

Claims 18 and 41 have been amended as required by the Examiner. The “preferably” recitations were removed from claim 17.

B. RESTRICTION REQUIREMENT

In response to the restriction requirement, Applicant elects, with traverse, to further prosecute in the patent application Group I, claims 16-38. It is respectfully urged that the claims of Groups I and II be examined together. Reconsideration of the restriction requirement is respectfully requested.

It is respectfully submitted that a search for the subject matter for the group selected will of necessity also involve a search for the subject matter of Group II since it is in fact the Group I composition which is used in the method of Group II. Similarly, once the invention of Group I has been searched, the subject matter in the remaining group will not be an undue burden for the Examiner and that it would be efficient to consider all claims at this time.

In addition, the Examiner has the discretion to prosecute all of the pending claims in a single patent application. In fact, “[I]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” (Emphasis added; Manual of Patent Examining Procedure, § 803, second paragraph).

Thus, for reasons of efficiency in prosecution and searching, the Examiner is respectfully requested to reconsider and withdraw or modify the present Restriction Requirement.

C. SPECIES

In claim 17, Applicant selects the species corresponding to structure

a) $-(CF_2O)_a-(CF_2CF_2O)_b$.

With regard to claim 18, Applicant selects

y) $-(CF(CF_3)CF_2O)-$.

It is believed that claims 16-38 from the elected Group I read on the elected species. In addition, if Group II is successfully included in the examination, claims 39-41 also read thereon. This election is also made with traverse. These differences between the species is not such that separate searches are required.

D. REJOINDER

Applicant reserves the right to request rejoinder of all appropriate claims removed by the Examiner in the event that the traversal is not persuasive.

E. FEES

This response is being filed within the shortened period for response. Thus, no further fees are believed to be required. If, on the other hand, it is determined that any further fees are due or any overpayment has been made, the Commissioner is hereby authorized to debit or credit such sum to Deposit Account No. 02-2275.

Pursuant to 37 C.F.R. 1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated therewith is to be charged to Deposit Account No. 02-2275.

Respectfully submitted,

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